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EXAMINER

ROBINSON BOYCE, AKIBA K

ART UNIT

PAPER NUMBER

3639

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/051,664	Applicant(s) BRANDT ET AL	
	Examiner Akiba K. Robinson-Boyce	Art Unit 3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/4/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Due to communications filed 8/4/05, the following is a final office action. Claims 1, 2, 9, 10, 11, 15, 20, 26, 28 and 29 are currently amended. Claims 1-29 are pending in this application and have been examined on the merits. The previous rejection has been withdrawn and the following rejection reflects the claims as amended. Claims 1-29 are rejected as follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 3, 6, 9, 10-13, 18-23, 25-28, are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al (US 5,692,125).

As per claims 1, 28, Schloss et al discloses:

Associating in a repository, at least one event potentially affecting healthcare delivered to a patient with a sequence or tasks to be performed to support healthcare delivery to said patient, (Col. 5, lines 28-29, where the database is the repository and

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the events in the event groups are the tasks, w/ Col. 5, lines 45-54, where event 1 and event 2 in the event group are the tasks, w/ col. 3, lines 50-53, where it is shown that an event group is one or more events that are logically related in some sequential order).

receiving a message identifying occurrence of said event, (Col. 4, lines 43-44, sending a message to prompt performance of an event);

in response to said occurrence of said identified event, determining, by using said repository, a particular sequence of tasks to be performed, in response to receiving said message identifying occurrence of said event, (col. 4, lines 45-53, receiving one or more message detailing events like administering medication to one or more patients where it is shown that conditions must be honored in scheduling the sequence of events (event 1, then event 2), also col. 14, lines 51-55, shows one or more events to be scheduled where the event is analogous to a task since the event is being performed)); and

initiating execution of performance of said particular sequence of tasks by at least one individual without scheduling said performance and associated intervening scheduling time delay in response to receiving said message identifying occurrence of said event and determination pre-conditions associated with said task sequence are satisfied and said task of said task sequence are ready for performance by said at least one individual, (Col. 4, lines 48-54, shows that event 1 performed at time 256, also col. 14, lines 62-67, shows a scheduler executed to schedule, Col. 5, lines 11-15, shows that the performance of specific tasks are mapped, also col. 2, lines 35-41, events confirmed for performance, and col. 15, lines 18-21, shows event is performed by

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reminding a user of the event at a performance time, and col. 11, lines 29-37, shows the wait interval being zero for scheduling events, shows no time delay);

in response to examining predetermined information and said occurrence of said identified event, substituting at least one of said particular tasks for a task of an existing scheduled task sequence, (col. 2, lines 35-43, checking if dynamic conditions are satisfied, and if not satisfied, modifying the event(s)).

Schloss et al does not specifically disclose that that an associated intervening scheduling time delay is not scheduled, however, this limitation is obvious with Schloss et al since Schloss et al already teaches zero time delay as described above. Also, Schloss et al teaches that if dynamic conditions are satisfied, events are confirmed for performance in col. 2, lines 35-40. Therefore, during the time when dynamic conditions for events are being checked when preparing for performance time, and those events do not have a time delay, the events would therefore obviously be performed without a time delay.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention not to schedule an associated intervening scheduling time delay with the motivation of allowing tasks to be performed immediately after determining a particular sequence of tasks to be performed.

As per claim 2, Schloss et al discloses:

Substituting at least one of said particular tasks for a task of an existing task sequence being performed, (Col. 8, lines 27-29, an event containing pointers to immediately previous events).

As per claim 3, Schloss et al discloses:

Said message includes an event identifier identifying said event and is generated by a second process comprising a second set of tasks, (Col. 4, lines 42-44, nurse receiving messages detailing events, w/ col. 7, lines 55-59, shows events in event group template are linked to header identifiers, col. 8, lines 27-35, shows how events are linked in a precedence/subsequence link, and shows event A pointing to event B); and receiving an identifier identifying a particular instance of said first process, (col. 8, lines 21-22, shows that each event in an event group requires an identifier).

As per claims 6, 19, 27, Schloss et al discloses:

Associating in a repository, said event with a process instance identifier identifying an instance of said process comprising said sequence of tasks/said at least one repository associates said at least one event with a process instance identifier identifying an instance of a process comprising said sequence of tasks, (col. 7, lines 55-59, event group template where the pointer links to the header identifier).

As per claim 9, Schloss et al discloses:

said event comprises at least one of, (a) an event resulting from action by healthcare personnel, (b) an event generated by an operating process, (c) an event generated by patient monitoring equipment and (d) an event generated by a medical device, (col. 7, lines 55-59, [physician prescribing vitamins]).

Said step of initiating execution of performance of said particular sequence of tasks without scheduling said performance and associated intervening scheduling time delay comprises initiating execution of performance of said particular sequence of tasks

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without scheduling performance of said particular sequence of tasks to occur at a particular time, (Col. 4, lines 48-54, shows that event 1 performed at time 256, col. 11, lines 29-37, and col. 15, lines 18-21, shows event is performed by reminding a user of the event at a performance time, and shows the wait interval being zero for scheduling events, shows no time delay between events)

Schloss et al does not specifically disclose that that an associated intervening scheduling time delay is not scheduled, however, this limitation is obvious with Schloss et al since Schloss et al already teaches zero time delay as described above. Also, Schloss et al teaches that if dynamic conditions are satisfied, events are confirmed for performance in col. 2, lines 35-40. Therefore, during the time when dynamic conditions for events are being checked when preparing for performance time, and those events do not have a time delay, the events would therefore obviously be performed without a time delay.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention not to schedule an associated intervening scheduling time delay with the motivation of allowing tasks to be performed immediately after determining a particular sequence of tasks to be performed.

As per claim 10, Schloss et al discloses:

receiving information identifying a particular individual task of a task sequence being performed by initiating continuation of said task sequence being performed from said identified particular individual task in response to occurrence of said event, (Col.

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12, lines 14-16, [" Injection #1" followed by "Booster Injection"], col. 12, lines 16-35, [scheduling the injections]).

As per claim 11, Schloss et al discloses:

Associating in a repository, at least one event potentially affecting healthcare delivered to a patient with a process comprising a sequence of tasks to be performed to support healthcare delivery to said patient, (Col. 5, lines 28-29, where the database is the repository and the events in the event groups are the tasks, w/ Col. 5, lines 45-54, where event 1 and event 2 in the event group are the tasks, w/ col. 3, lines 50-53, where it is shown that an event group is one or more events that are logically related in some sequential order);

receiving at least one message identifying occurrence of said event and at least one parameter associated with said event, (Col. 4, lines 43-48, [sending a message to prompt performance of an event such as administering medication to one or more patients, where the parameter is represented by a dynamic condition]);

determining by using said repository, whether said identified event is associated with a particular process of a plurality of predetermined processes, (col. 13, lines 8-17, linking events to the protocol or process);

providing said parameter to said particular process in response to said determination said identified event is associated with said particular process, (col. 8, lines 21-26, determining an event in an event group that requires an identifier, w/ col. 7, lines 55-59, shows creation of an event group template where a pointer links the events in the event group template to a header identifier, w/ col. 13, lines 8-17, linking events to

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the protocol or process, since events are linked to identifiers and also to the process, it is inherent for the process to be linked to the identifier as well, where the parameter is the identifier);

initiating execution of performance of said particular process without scheduling said performance and associated intervening scheduling time delay in response to receiving said message identifying occurrence of said event and determination pre-conditions associated with said task sequence are satisfied and said task of said task sequence are ready for performance by said at least one individual, (Col. 4, lines 48-54, shows that event 1 performed at time 256, also col. 14, lines 62-67, shows a scheduler executed to schedule, Col. 5, lines 11-15, shows that the performance of specific tasks are mapped, also col. 15, lines 18-21, shows event is performed by reminding a user of the event at a performance time, and col. 11, lines 29-37, shows the wait interval being zero for scheduling events, shows no time delay).

Schloss et al does not specifically disclose that that an associated intervening scheduling time delay is not scheduled, however, this limitation is obvious with Schloss et al since Schloss et al already teaches zero time delay as described above. Also, Schloss et al teaches that if dynamic conditions are satisfied, events are confirmed for performance in col. 2, lines 35-40. Therefore, during the time when dynamic conditions for events are being checked when preparing for performance time, and those events do not have a time delay, the events would therefore obviously be performed without a time delay.

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention not to schedule an associated intervening scheduling time delay with the motivation of allowing tasks to be performed immediately after determining a particular sequence of tasks to be performed.

As per claim 12, Schloss et al discloses:

Wherein said associated parameter is for use by multiple different process task sequences and is stored at a location available for access by said multiple different process task sequences, (Fig. 2, and Col. 3, lines 40-65, [computer system where events are processed], Col. 15, lines 46-53, [event condition in data structure stored in memory]).

As per claim 13, Schloss et al discloses:

including the activity of verifying said associated parameter is compatible with predetermined value criteria as a pre-condition to providing said parameter to said predetermined process, 15, lines 54-60, [conditions must be satisfied]).

As per claims 18, 25, Schloss et al discloses:

And including the activity of searching a database containing records indicating active processes and process instances to identify active process instances of said target process to be replaced/receiving information identifying active process instances and storing records in a database indicating said identified active process instances, (col. 5, lines 29-30, [sending orders to the database]).

As per claim 20, Schloss et al discloses:

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Associating in a repository, at least one event potentially affecting healthcare delivered to a patient with a process instance identifier identifying instance of a process comprising a sequence of tasks to be performed to support healthcare delivery to a patient, (Col. 5, lines 28-29, where the database is the repository and the events in the event groups are the tasks, w/ Col. 5, lines 45-54, where event 1 and event 2 in the event group are the tasks, w/ col. 3, lines 50-53, where it is shown that an event group is one or more events that are logically related in some sequential order, col. 7, lines 55-59, shows event group template that points to a header identifier) ;

in response to occurrence of an event in a first process, receiving at least one message identifying occurrence of said event during said first process and identifying a parameter associated with said event, (Col. 4, lines 43-48, [sending a message to prompt performance of an event such as administering medication to one or more patients, where the message details events, w/ col. 7, lines 55-59, where it is shown that event groups can be created that contain identifiers]);

acquiring said parameter associated with said event and providing said parameter to an instance of a second process identified using said repository, (col. 8, lines 27-35, [event A pointing to event B]); and

adapting said instance of said second process by initiating execution of performance of particular set of tasks without scheduling said performance and associated intervening scheduling time delay in response to receiving said at least one message, (col. 8, lines 35-37, [forming a precedence link and scheduling the event that forms that link], also col. 15, lines 18-21, shows event is performed by reminding a user

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of the event at a performance time, and col. 11, lines 29-37, shows the wait interval being zero for scheduling events, shows no time delay).

Schloss et al does not specifically disclose that that an associated intervening scheduling time delay is not scheduled, however, this limitation is obvious with Schloss et al since Schloss et al already teaches zero time delay as described above. Also, Schloss et al teaches that if dynamic conditions are satisfied, events are confirmed for performance in col. 2, lines 35-40. Therefore, during the time when dynamic conditions for events are being checked when preparing for performance time, and those events do not have a time delay, the events would therefore obviously be performed without a time delay.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention not to schedule an associated intervening scheduling time delay with the motivation of allowing tasks to be performed immediately after determining a particular sequence of tasks to be performed.

As per claim 21, Schloss et al discloses:

including the activity of receiving an identifier identifying a particular individual task in said second process, (col. 12, lines 14-16, ("Injection 1" followed by "booster injection"), and wherein said adapting activity comprises initiating processing of said second process from said particular individual task in response to receiving said at least one message identifying occurrence of said event an determination said parameter is within predetermined acceptability criteria, (col. 12, lines 16-35, [scheduling the injections {this includes initiating the processing of the "booster injection"}] w/ Col. 4,

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lines 41-54, sending a message to prompt performance of an event once dynamic conditions are checked).

As per claim 22, Schloss et al discloses:

wherein said parameter associated with said event is stored at a location available for access by said first and second processes, (col. 3, lines 40-65, and Fig. 2, [computer system where 2 events are processed]).

As per claim 23, Schloss et al discloses:

sharing data between said first and second process comprising sharing at least one of, (a) an event identifier identifying said event, (b) a process identifier identifying said first process, (c) an identifier identifying a particular instance of said first process, (Col. 8, lines 21-26, [event identifier for each event]).

As per claim 26, Schloss et al discloses:

At least one repository associating a t least one event potentially affecting healthcare delivered to a patient with a sequence of tasks to be performed to support healthcare delivery to said patient, (Col. 5, lines 28-29, where the database is the repository and the events in the event groups are the tasks, w/ Col. 5, lines 45-54, where event 1 and event 2 in the event group are the tasks, w/ col. 3, lines 50-53, where it is shown that an event group is one or more events that are logically related in some sequential order);

a communication interface for receiving a message identifying occurrence of said event potentially affecting healthcare delivered to a patient, (col. 20, lines 21-22,

[general purpose computer system], w/ col. 4, lines 43-45, [sending a message to prompt performance of an event]);

an event analyzer for using said at least one repository and for applying predetermined rules to interpret said identified event to determine a particular sequence of tasks to be performed in response to receiving said message identifying occurrence of said identified event, (Col. 14, lines 49-56, [computer with CPU and memory for determining if event condition is satisfied])w/ col. 4, lines 41-45, shows message is sent when conditions are checked); and

a processor for initiating execution of performance of said particular tasks by at least one individual without scheduling said performance and associated intervening scheduling time delay in response to said occurrence of said identified event and determination pre-conditions associated with said task sequence are satisfied and said task of said task sequence are ready for performance by said at least one individual, (Col. 14, lines 62-67, [scheduler], w/ col. 4, lines 41-43, shows dynamic conditions must be checked and honored before performing events, w/Col. 4, lines 48-54, shows that event 1 performed at time 256, also col. 14, lines 62-67, shows a scheduler executed to schedule, Col. 5, lines 11-15, shows that the performance of specific tasks are mapped, also col. 15, lines 18-21, shows event is performed by reminding a user of the event at a performance time, and col. 11, lines 29-37, shows the wait interval being zero for scheduling events, shows no time delay).

Schloss et al does not specifically disclose that that an associated intervening scheduling time delay is not scheduled, however, this limitation is obvious with Schloss

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et al since Schloss et al already teaches zero time delay as described above. Also, Schloss et al teaches that if dynamic conditions are satisfied, events are confirmed for performance in col. 2, lines 35-40. Therefore, during the time when dynamic conditions for events are being checked when preparing for performance time, and those events do not have a time delay, the events would therefore obviously be performed without a time delay.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention not to schedule an associated intervening scheduling time delay with the motivation of allowing tasks to be performed immediately after determining a particular sequence of tasks to be performed.

4. Claims 4, 7, 8, 15-17, 24, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al (US 5,692,125) as applied to claim 1 above, and further in view of Judge et al (US 6,401,138).

As per claim 4, Schloss et al fails to disclose said particular instance of said first process comprises a particular use of said process for a specific patient, but does disclose the performance of an event that relates to a patient in col. 4, lines 55-60.

However, Judge et al discloses:

said particular instance of said first process comprises a particular use of said process for a specific patient, (Col. 21, lines 36-45, [using data about particular patients to issue service requests]). Judge et al discloses this limitation in an analogous art for the purpose of showing that service requests are issued for certain patients)).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for a first process to comprise a particular use of said process for a specific patient with the motivation of initiating and completing processes specifically for each individual patient.

As per claims 7, 15, 16, Schloss et al discloses:

said message includes an event identifier identifying said event/said at least one message includes a process identifier identifying a target process to be replaced by said predetermined process/replacing initiating performance of another process with said initiating performance of said identified process, (col. 8, lines 21-22, [each event in event group will require an identifier]);

Schloss et al fails to disclose a process identifier identifying a target process to be replaced by a predetermined process comprising said particular tasks/replacing scheduling of performance of another process with said scheduling of performance of said identified process, but does disclose events part of an event group that require an identifier to schedule an event in col. 8, lines 21-22, and in Col. 8, lines 27-29, an event containing pointers to immediately previous events. Since these events contain pointers to immediately previous events, it is obvious to conclude that the events are replaced by previous events.

However, Judge et al discloses:

A process identifier, (col. 9, line 13, [process ID]). Judge et al discloses this limitation in an analogous art for the purpose of showing that process can be identified by ID.

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have a process identifier with the motivation of having means to retrieve a process by identifying it.

As per claims 8, 17, Schloss et al discloses:

And including the activity of searching a database containing records indicating active processes and process instances to identify active process instances of said target process to be replaced/receiving information identifying active process instances and storing records in a database indicating said identified active process instances, (col. 5, lines 29-30, [sending orders to the database]).

As per claim 24, Schloss et al fails to disclose wherein said at least one message includes a process identifier identifying said second process is to be modified in response to occurrence of said event in said first process, but does disclose events part of an event group that require an identifier in col. 8, lines 21-22 and that a first event can be effected by, and modified by a second event in col. 8, lines 27-45.

However, Judge et al discloses:

A process identifier, (col. 9, line 13, [process ID]). Judge et al discloses this limitation in an analogous art for the purpose of showing that process can be identified by ID.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have a process identifier with the motivation of having means to retrieve a process by identifying it.

As per claim 29, Schloss et al discloses:

Associating in a repository, at least one event potentially affecting healthcare delivered to a patient with a sequence or tasks to be performed to support healthcare delivery to said patient, (Col. 5, lines 28-29, where the database is the repository and the events in the event groups are the tasks, w/ Col. 5, lines 45-54, where event 1 and event 2 in the event group are the tasks, w/ col. 3, lines 50-53, where it is shown that an event group is one or more events that are logically related in some sequential order).

receiving a message identifying occurrence of said event, (Col. 4, lines 43-44, sending a message to prompt performance of an event);

determining, by using said repository, a particular sequence of tasks to be performed, in response to receiving said message identifying occurrence of said event, (col. 4, lines 45-53, receiving one or more message detailing events like administering medication to one or more patients where it is shown that conditions must be honored in scheduling the sequence of events (event 1, then event 2), also col. 14, lines 51-55, shows one or more events to be scheduled where the event is analogous to a task since the event is being performed)); and

initiating execution of performance of said particular sequence of tasks by at least one individual without scheduling said performance and associated intervening scheduling time delay in response to receiving said message identifying occurrence of said event and determination pre-conditions associated with said task sequence are satisfied, (Col. 4, lines 48-54, shows that event 1 performed at time 256, also col. 14, lines 62-67, shows a scheduler executed to schedule, also col. 15, lines 18-21, shows event is performed by reminding a user of the event at a performance time, and col. 11,

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lines 29-37, shows the wait interval being zero for scheduling events, shows no time delay);

Schloss et al does not specifically disclose that that an associated intervening scheduling time delay is not scheduled, however, this limitation is obvious with Schloss et al since Schloss et al already teaches zero time delay as described above. Also, Schloss et al teaches that if dynamic conditions are satisfied, events are confirmed for performance in col. 2, lines 35-40. Therefore, during the time when dynamic conditions for events are being checked when preparing for performance time, and those events do not have a time delay, the events would therefore obviously be performed without a time delay.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention not to schedule an associated intervening scheduling time delay with the motivation of allowing tasks to be performed immediately after determining a particular sequence of tasks to be performed.

Schloss et al fails to disclose a process instance identifier identifying an instance of a process comprising said sequence of tasks, but does disclose events part of an event group that require an identifier in col. 8, lines 21-22.

However, Judge et al discloses:

a process instance identifier identifying an instance of a process comprising said sequence of tasks, (col. 9, line 13, [shows process IDs are used] w/ Col. 13, lines 25-51 shows an example of the notification of an instance of a previously registered event out of a plurality of events in a queue where the event object for the type of event that is

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the subject of the notify operation is shown to be identified). Judge et al discloses this limitation in an analogous art for the purpose of showing that process instance can be identified by ID.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have a process instance identifier identifying an instance of a process comprising said sequence of tasks with the motivation of having means to retrieve a process by identifying it.

5. Claims 5, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schloss et al (US 5,692,125) as applied to claim1 above, and further in view of Wright et al (US 6,004,276).

As per claims 5, 14, Schloss et al fails to disclose:

filtering a plurality of received messages to identify said message identifying occurrence of an event potentially affecting healthcare delivered to a patient and excluding other messages immaterial to said healthcare delivered to said patient, but does disclose the performance of an event that relates to a patient in col. 4, lines 55-60.

However Wright et al discloses:

filtering a plurality of received messages to identify said message identifying occurrence of an event potentially affecting healthcare delivered to a patient and excluding other messages immaterial to said healthcare delivered to said patient, (col. 42, lines 37-41, [filtering]). Wright et al discloses this limitation in an analogous art for the purpose of showing that events can be filtered during a query)).

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to filter a plurality of received messages to identify said message identifying occurrence of an event potentially affecting healthcare delivered to a patient and excluding other messages immaterial to said healthcare delivered to said patient with the motivation of weeding out messages for events that are not necessary.

Response to Arguments

6. Due to the amendment filed 8/4/05, the examiner has withdrawn the 35 U.S.C. 101 rejection.

7. Applicant's arguments filed 8/4/05 have been fully considered but they are not persuasive.

As per claims 1, 2, 9-11, 15, 20, 26, 28 and 29, the applicant argues that as amended, prior art does not disclose a system that initiates "execution of performance" of a "sequence of tasks" "without scheduling said performance and associated intervening scheduling time delay". However, Schloss discloses the initiation of a performance of an event in col. 15, lines 20-23, where the event is performed by reminding a user of the event at a performance time. In addition, Schloss discloses a non-zero interval wait where there is no time delay between events in col. 11 lines 29-37. Schloss also discloses that dynamic conditions are checked in order to prepare for performance time. If they are satisfied, events are confirmed for performance in col. 2, lines 35-40. Therefore, during the time when dynamic conditions for events are being

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checked when preparing for performance time, and those events do not have a time delay, the events would therefore obviously be performed without a time delay.

For the reasons similar to those stated above, all claims that depend from or that are related to claims 1, 2, 9-11, 15, 20, 26, 28 and 29 are also still rejected. The examiner has therefore maintained prior art used in the previous rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

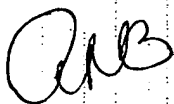
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is

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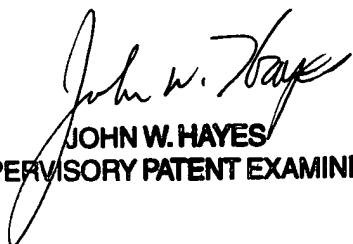
571-272-6734. The examiner can normally be reached on Monday-Tuesday 8:30am-5pm, and Wednesday, 8:30 am-12:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.
October 25, 2005



JOHN W. HAYES
SUPERVISORY PATENT EXAMINER